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RESTAURANT'S "BEER AND WINE" AD UNTRUE AND MISLEADING, LAWSUIT ALLEGED

Diah Asker, Jr., Jennifer Asker, Mazen Mikhael and Nadia Mikhael, doing business as "Taste of Italy," "DJ's Taste of Italy," and /or "DJ's Little Italy" have agreed to pay \$6,500 in civil penalties and costs to settle an unfair competition and misleading advertising lawsuit brought by the San Diego City Attorney's Office.

The lawsuit, filed in San Diego Superior Court on October 16, 1997, alleged that these individuals engaged in unfair competition and misleading advertising when they advertised the sale and delivery of beer and wine from their restaurant located at 1013 University Avenue in San Diego. An investigation prompted by a consumer complaint revealed that during the advertising campaign beer and wine were not sold or delivered from that location. Moreover, according to the Department of Alcoholic Beverage Control, that location had not been issued a beer and wine license.

Under the terms of the Superior Court Judgment, the defendants are prohibited from engaging in similar misconduct in the future. The defendants agreed to the settlement without admitting wrongdoing.

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